

Serial No. 09/492,315
Amdt. dated December 4, 2003
Reply to Office Action of June 4, 2003

Docket No. 2119-0121P

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1-4 and 6-24 are pending in the application.

Information Disclosure Statement

Information Disclosure Statements and accompanying PTO-1449 forms were filed on May 1, 2000, February 6, 2001 and May 4, 2001. The Examiner has not indicated he has considered ALL the documents identified in these Information Disclosure Statements. Accordingly, the Examiner is respectfully requested to acknowledge consideration of ALL of the documents identified in that Information Disclosure Statement by initialing the PTO-1449 form and returning a copy of the initialed form to the undersigned. If the Examiner is missing some of the documents he is respectfully requested to contact the undersigned so that copies can be forwarded.

Specification Informalities

The specification was objected to because of informalities. This Amendment addresses this objection by correcting the noted informalities in the Title. Accordingly, withdrawal of this objection is respectfully requested.

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Allowable Subject Matter

Applicant notes with appreciation the indication on page 3 of the Office Action that claims 5, 16 and 22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, regarding claims 16 and 22 Applicant submits this is not necessary in view of the following remarks. Claim 1 has been amended in this manner, and accordingly claim 1 and its dependent claims should now be allowable. Acknowledgment of same is respectfully requested.

35 U.S.C. § 102 & 103 Rejections

Claims 1-4, 6-7, 9-15, 17, 19-21 and 23 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Nobutoshi et al. (JP No. 08-322067). Claims 8 and 18 were rejected under 35 U.S.C. § 103 (a) as allegedly being unpatentable over Nobutoshi et al. (JP No. 08-322067, "Nobutoshi"). Applicant respectfully traverses each of these rejections for at least the following reasons.

Regarding the rejection to claim 1, Applicant respectfully submits the rejection is moot in view of the foregoing claim amendment which places claim 1 in condition for allowance as noted above.

Regarding the rejection to claim 9, the Examiner has alleged that Nobutoshi "clearly anticipates" the claimed combination. Applicant respectfully disagrees. For example, claim 9 recites in part "a pitch of lenses within the second lenticular array differs from a pitch of the first lens groups within the first lenticular array". Applicant

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respectfully does not see this clearly indicated in the applied reference. In fact in contrast to the Examiner's position, the English translation of the Nobutoshi reference clearly indicates that the lens 2a matches the pitch of lens group (i.e., 4 as illustrated). Specifically as stated in the translation of Nobutoshi from the JPO website recited below.

[0055] By the above-mentioned cylindrical-lens array 3 for condensing, each of that cylindrical-lens 3a is arranged here so that it may correspond to each pixel train of the perpendicular direction in the above-mentioned display screen, and in the cylindrical-lens array 2, each of that cylindrical-lens 2a is arranged so that it may correspond to four pixels.

As clearly indicated by this passage and the drawings presumably relied upon by the Examiner the pitch of lens array 2 matches the grouping of lens array 3a (i.e., each lens 2a has the same pitch as a group of 4 of 3a). Since the Examiner has not specified all the features claimed and their corresponding relation in the Nobutoshi reference, Applicant can only assume these are the features relied upon by the Examiner. However, Applicant expressly states that these features have been discussed solely for the purposes of addressing the assumed rejection and do not constitute an admission by the Applicant as to the relevancy of any specific element of the applied reference.

As stated in MPEP § 2131, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). None of the references applied by the

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Examiner either expressly or inherently describe every feature of Applicant's claimed combinations as detailed in the foregoing arguments. Therefore, Applicant respectfully submits that the applied references do not anticipate Applicant's claimed combinations as alleged by the Examiner.

Accordingly, Applicant respectfully requests that the Examiner specifically address each of the claimed features with as required by the MPEP. Further, Applicant respectfully submits that should the Examiner rely on different aspects and/or interpretations of the applied reference, that this constitutes a new rejection to the pending claims.

The remaining independent claim (i.e., claim 19) recites related subject matter to the above-identified independent claim 9, and is therefore allowable for reasons similar to those given above.

The dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any

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additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Mark Olds, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-2842 and please credit any excess fees to such deposit account.

Respectfully submitted,
KCO Law, PLLC



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Attachment: